

Our Children's Fear

Immigration Policy's Effects on Young Children



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Executive summary

**“ In 17 years, I’ve never seen this before.
The stress is so high, they’re biting their fingers.
– Georgia preschool director ”**

This report documents how the current immigration context is affecting our nation’s youngest children, under age eight, based on interviews and focus groups in 2017 with more than 150 early childhood educators and parents in six states—California, Georgia, Illinois, New Mexico, North Carolina, and Pennsylvania. We conducted this first multi-state study of its kind to focus on young children for two reasons.

First, the early years lay the foundation for children’s long-term health and wellbeing. For children to learn and grow and ultimately succeed in school and in life, they need good nutrition, regular health care, a stable and healthy living environment, and nurturing and loving care. When their basic needs are not met—or when hardship and distress occur in children’s environments—their growth and development is undercut and can have enduring, even life-long consequences.¹

Second, immigrants are central to our nation’s past and future. Children of immigrants—those with at least one foreign-born parent—comprise a quarter of all young children, and the overwhelming majority of them are U.S. citizens. Our collective future is tied to their health and wellbeing, as well as their success in school and later careers.

Our study was motivated by widespread reports that children and families are being harmed by the Trump Administration’s immigration policy priorities. This report documents impacts on young children of immigrants, whether their parents have some form of lawful immigration status or are undocumented.

Documenting the impact: key findings

Young children fear their parents will be taken away. Parent and provider reports of child behaviors and actions suggest that children as young as three are deeply aware of the Trump Administration’s anti-immigrant sentiment and the possibility of losing a parent. As a result, they are fearful for their parents’ and their own safety. An early childhood educator in New Mexico described children making comments such as, **“He cannot take my family”** and **“Can you imagine if they take my friend’s family away from them? What will they do?”**

Children also showed disturbing new behaviors—such as increased aggression, separation anxiety, and withdrawal from their environments. Educators with many years of experience described behavior they observed as distinct from children’s behaviors in past years.

A preschool director in Georgia described a five-year-old child whose anxiety was so severe that he was biting his fingertips to the point that they were bleeding.

Expressions of fear were not limited to children in mixed-status families (those with an undocumented parent) but extended to children whose parents have lawful immigration status—some even children of U.S. citizens. Because young children can't understand the details of immigration policy—and may not even know their parent's immigration status—providers reported that children feared the worst based on what they hear around them. A Head Start teacher in Pennsylvania told us that a four-year-old girl in her class said that President Trump wanted to send her mom back to Mexico. **“Her mother is not even from Mexico,”** the teacher told us.

Children who had been separated from a parent or who had come into contact with immigration agents seemed to exhibit the greatest fear and evidence of behavioral changes. Providers and parents in nearly all of our interview sites described disturbing accounts of immigration enforcement activities that undermine the best interest of children, such as parents being arrested in their children's view or children and parents being separated during interrogation.

Young children's daily routines are interrupted because fear is keeping families isolated in their homes—resulting in reduced access to early care and education programs. Families are afraid to leave their homes and encounter immigration enforcement agents, leading them to make dramatic changes to their daily routines. They leave their homes for necessary activities—like going to work or buying groceries—yet have stopped frequenting parks, libraries, and retail stores.

“We don't feel safe even taking the kids to child care,” a parent in California told us. Early education programs reported drops in attendance, fewer applicants, trouble filling available spaces, and decreased parent participation in classrooms and at events.² As a result of this withdrawal from ordinary life and decreased participation in early care and education programs, children are losing out on enriching early childhood experiences that are important to prepare them for success in school and in life.³

Parent and provider accounts suggest that young children are getting less access to nutrition and health care services because of families' fears. In all six states, providers and parents report elevated concerns about enrolling in or maintaining enrollment in publicly funded programs that support basic needs, including for their citizen children. Parents reported being worried about their information being shared with immigration officials and about how participation in programs would affect their ability to obtain lawful permanent residence. Some providers also described instances of blatant discrimination against immigrant parents when attempting to enroll in public programs and parents avoiding services because they are afraid they might encounter immigration enforcement agents when they drive. For example, in Pennsylvania, parents questioned whether it was safe to take their children to the hospital for emergency care because it required taking a route where immigration agents often patrolled. Research shows that access to medical care and nutritious foods are critical to promote good health, particularly in early childhood. Delaying doctors' visits or not getting enough healthy food may lead to greater health and developmental problems later.⁴

Young children’s housing and economic stability are in turmoil, with likely significant consequences for their wellbeing. Providers and parents reported increased job loss and more difficulty finding work; overcrowded housing and frequent moving; and more exploitation by employers and landlords. A preschool director in California described receiving frequent notifications of changes in employment and addresses in recent months. She speculated that parents were making these changes to avoid immigration enforcement actions. This increased instability—on top of increased fear and anxiety—can impose incredible harm on children’s developing minds and bodies.⁵

Parents and caregivers—the most important source of support for young children—are themselves under severe stress and lack resources to meet their needs. Providers in all six states talked about parents coming to them with increased worries and new questions. Parents are struggling with difficult decisions, such as what to do if they or their spouses are deported, and how to talk to their children about deportation. Many parents are asking for resources, such as legal assistance and mental health services, but there is not enough to meet the need. Providers are also under increased stress as they attempt to support families in new ways.

“You feel like you don’t know what’s going to happen,” an early childhood educator in Illinois said. **“That feeling of stability—emotional stability and security—is what most of our families have lost.”** When the support systems that children rely on—their parents and teachers—are frayed due to their own stress and fear, children feel the effect as the adults they rely on may be preoccupied with anxiety to fully meet children’s caregiving needs.⁶

The cumulative effect of these threats is likely harming millions of young children.

Our interviews and focus groups revealed a distressing picture of the day-to-day experiences for young children around the country, characterized by fear, stress, and disruptions to their normal routines. Prolonged exposure to such anxiety and uncertainty undermines children’s brain development and can have lasting effects on their capacity to learn and manage their emotions.⁷ This elevated fear comes at the same time that children are losing access to health care, nutrition services, and early care and education—supports that are necessary to set them on a path to success.⁸

Each of these risk factors by themselves have well-documented and powerful negative effects on children’s health and wellbeing. But developmental research is clear that the harm children face is cumulative. Experiencing multiple types of hardships (for example, lower household income, housing instability, and not having enough to eat) does far greater damage to young children’s long-term development than simply adding up the effects of each individual risk factor.⁹ Without changing course, we as a nation will also pay a heavy price as our future prosperity will be largely determined by the extent to which our increasingly diverse U.S. child population is able to succeed.

A better path forward: recommendations

To change course and safeguard the healthy development of young children in immigrant families, CLASP recommends the following:

Congress and the Trump Administration should ensure that the best interests of children, including U.S. citizen children living in mixed-status families, are held paramount in immigration policy decisions.

- Congress should pass legislation that provides a pathway to citizenship to undocumented immigrants, including parents and Dreamers.
- Congress should ensure immigration judges are able to weigh the hardship to children in decisions regarding a parent's ability to enter or remain in the country.
- The U.S. Department of Homeland Security (DHS) should use discretion when making decisions to arrest, detain, and deport parents of minor children in the United States.
- Congress and DHS should expand and consistently enforce the sensitive locations policy to restrict enforcement actions at or near places that are critical to children's health and wellbeing.
- DHS should strengthen protocols to minimize potential harm to children when they are present during immigration enforcement actions and train all staff on these protocols.
- DHS should ensure that detained and deported parents are able to make decisions about their children's care.

Federal, state, and local policymakers should ensure that immigrant families have access to the programs and services they need to promote their children's healthy development.

- Congress and federal agencies should reverse course on the Trump Administration's efforts to discourage immigrant families and their children from accessing health, nutrition, and early childhood education services.
- State and local policymakers should safeguard the wellbeing of young children in immigrant families in state and local legislation, laws, and policies.
- State and local policymakers should increase funding for legal services in communities and build links to pro bono services.
- State agencies administering public benefits should ensure immigrant families and their children are not deterred from enrolling in critical programs.
- State agencies administering public benefits should issue guidance to programs on protecting data and personal confidentiality.

State policymakers should ensure early childhood programs have the resources they need to better serve children in immigrant families.

- State policymakers should promote and fund coordination and collaboration between child care and early education and immigrant-serving organizations, so families and providers have better access to key immigration information.
- State policymakers should provide resources to meet the unprecedented needs of the early childhood workforce for training, education, and support.
- State policymakers should ensure that programs have access to best practices and training on trauma-informed care, as well as the funding to implement those practices.

The philanthropic community should protect, defend, and elevate the wellbeing of children in immigrant families.

- Funders should invest in immediate and urgent support to children in immigrant families and the programs that serve them through a comprehensive agenda that includes policy advocacy; strong collaborations across the immigrant and early childhood sectors; creation and dissemination of training and resources for early care and education and other program staff; and a research agenda that includes documentation of the impacts of immigration policies on young children.
- Funders should speak out about the wellbeing of young children of immigrants, their needs and the developmental consequences of the current crisis.



A national concern

Roughly 9 million young children under age 8 in the United States live in an immigrant family with one or more member who is foreign-born.¹⁰ Young children in immigrant families are a significant and growing segment of the young child population, comprising 26 percent of all children under 8. The vast majority of these children—94 percent—are U.S. citizens, entitling them to all the legal rights and privileges that citizenship guarantees.¹¹

Most young children in immigrant families live with parents who have some form of legal U.S. immigration status. Many others are members of “mixed-status families,” meaning that they are living with at least one undocumented family member. An estimated 5.1 million children under the age of 18 in the United States live with at least one undocumented parent; nearly 2 million of these children are under age 5.¹²



This first-ever multi-state study documents effects of the current immigration climate on young children under age eight, including those living in families where every member has lawful immigration status as well as those in mixed-status families.

We focus on young children for two reasons. First, the early years lay the foundation to children’s lifelong health and wellbeing. Experiences early in life affect children’s physical, social, and emotional development. Good nutrition, regular health care, a stable and healthy living environment, and nurturing and loving care are necessities for children to grow and learn and ultimately do well in school and in life. When basic needs are not met—or hardship and distress occur in children’s environments—it undercuts their growth and development and can have enduring, even life-long, effects.¹³

Second, immigrants are central to our nation’s past and their experiences matter for America’s future. Since our nation’s founding, immigrants have moved to this country seeking a better life for themselves and their families. Children of immigrants represent a large and growing share of young children, and the overwhelming majority of them are U.S. citizens. Their experiences, development, and education are essential to all of us. Our future is tied to their health and wellbeing, as well as their success in school and later careers.

Our study was motivated by widespread reports that children and families are being harmed by the Trump Administration’s immigration policy priorities, such as efforts to ramp up immigration enforcement and the removal of protections for groups that had previously been granted discretion, including parents of citizen-children and young immigrants who came to the United States as children. The administration has also threatened to restrict immigrant families’ access to public assistance programs, including for their citizen-children. Our goal was to understand how our youngest children are experiencing—and are affected by—this changing environment.

Study overview

Between May and November 2017, CLASP conducted semi-structured interviews with child care and early education teachers, home visitors, and staff and community-based social service providers in six states around the country—California, Georgia, Illinois, New Mexico, North Carolina, and Pennsylvania. (We have withheld the names of specific locations to protect participants' privacy.) Participants included more than 100 staff across 33 organizations, including private child care centers, Head Start programs, preschools, public schools, and home visiting programs. We also convened four focus groups in California, New Mexico, and Pennsylvania with a total of 45 immigrant parents of young children.

Documenting the impact: key findings

“Who will take care of me?”

Young children fear their parents will be taken away

In an elementary school in North Carolina, a school counselor reported overhearing children planning for “when their parents go back to Mexico—not if, but when.” **One little boy was writing down what he knew how to cook—peanut butter sandwiches and cheese sandwiches—in order to reassure his frightened five-year-old sister that they would be okay if their parents were deported.**

Young children’s day-to-day lives were described as clouded by persistent fear of being separated from their parents or other loved ones. Children—as young as three years old—are articulating fears that their mothers won’t be home when they return from preschool.

“[Children] hear and they understand,” a teacher in Georgia told us. “They got so anxious. They were very concerned, very sad... What happens if they deport my mom? Who will take care of me?”

A Head Start teacher in Pennsylvania told us that a four-year-old girl in her class said that President Trump wanted to send her mom back to Mexico. **“Her mother is not even from Mexico,”** the teacher told us.

Young children can’t understand the details of immigration policy and may not even know their parents’ immigration status. Yet the behaviors, actions, and statements relayed to us suggest children are deeply aware of the administration’s anti-immigrant sentiment and the possibility of losing a parent, and they fear for their parents’ and their own safety. This pervasive fear is not limited to children in mixed-status families but extends to children whose parents have lawful immigration status—some even children of U.S. citizens.

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How do you know they're afraid? By the way they express themselves: "He cannot take my family. Can you imagine if they take my friend's family away from them? What will they do?" They're not just angry; they're concerned. They're worried about other members of their class.

– Early childhood educator in New Mexico

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Very young children typically lack the vocabulary or emotional maturity to articulate their feelings and often express their emotions through behavior. Early childhood educators described disturbing behavioral changes among young children—including increased aggression, hyperactivity, and separation anxiety; decreased engagement; and withdrawal from their environments. They could not always attribute a direct cause of the behaviors, but we noted consistent observations across early care and education programs and not limited to children with an undocumented parent. Educators with many years of experience described behavior they observed as distinct from children's behaviors in past years, suggesting the behaviors were related to the current environment.

An early childhood educator in California said that following the 2016 election, "The kids were crying. It was tough for the kids to say good-bye to the parents when they came to school [for the morning drop off]. It was awful." A teacher in North Carolina told of reading a story about houses to her pre-kindergarten class. When she got to a page with a picture of the White House, children burst into tears.

"It could be this year's class is just different..." a pre-kindergarten teacher in Georgia told us, **"but this year they [the children] are less lively and verbal as throughout the years I've been here. I don't know if it's because they are experiencing the stress of it. They are reluctant to talk."**

Some providers recounted especially alarming behaviors, such as a five-year-old child whose anxiety was so severe that he was biting his fingertips to the point that they were bleeding. **"In 17 years I've never seen this before,"** his preschool director said. **"The stress is so high they're biting their fingers."**

"We've seen [behavior changes] first-hand," a home visiting director in New Mexico told us. "Kids who were toilet trained are all of a sudden having more accidents at night, having accidents at their preschool or day care when they weren't previously."





The director went on to describe several children who were backsliding on certain age-appropriate skills. **"They were engaged before, would sit down for a period of time, write or color with us, and we've now seen a regression where they're just kind of sad, anxious, not wanting to participate as much as they used to."**

A social worker in California described signs in clients' homes, saying: *No abra la puerta*—Do not open the door—hung at children's eye level. "They see that everyday going in and out [of their homes]," she told us. **"They know that if you open the door for someone, they can come in and take you or your parent."**

Early care and education providers generally described more pronounced behavioral changes among children who had been directly affected by immigration enforcement. A preschooler in Georgia refused to talk and ate quickly during meal times. Educators at his child care center told us, "We kind of figured something was going on." As it turned out, ICE agents had been to the child's home. "It turned out they [the family] were afraid someone was going to come back to the home, so they had to eat quickly."

A preschool director in California described a three-year-old child who became aggressive and began fighting with his classmates after his father was deported. She noticed he particularly targeted three children whose fathers drop them off and pick them up from school. "The ones whose moms pick them up, he's fine," she said. "But to the others he's like, 'oh you can't be my friend because you have a daddy.'"

"Last [school] year we had an incident where a child drew a picture of a cop, his dad, and himself. He gave it to the teacher and the teacher asked what it was. And he was like, 'That's ICE who came and picked up my dad.' He was having a hard time... He'd wake up in the middle of the night, and he would cry," recalled a child care provider in Georgia.

Children have reportedly developed new fears of police and law enforcement officers, which providers attributed to an inability to distinguish between immigration officers and local law enforcement.¹⁴ A parent in Georgia told her child's preschool director that her four- and six-year-old children are now afraid of seeing police officers in the community. When they see a policeman, they tell their mother to hide so the officer won't take her. "The kids have taken a role of protecting the parents," the preschool director said. "...they don't completely understand why. The only thing that they know is that a policeman is a figure they can't trust."

The Trump Administration's immigration actions, unpredictability, and racist and xenophobic comments about immigrants have all contributed to heightened tension in immigrant communities, which is clearly absorbed by children.¹⁵ Providers and parents also described increased racism in their communities, and some providers noted that very young children have even repeated racist comments to their peers. A few parents talked about their children suddenly not wanting to speak Spanish anymore because it meant "you were from another country."

The levels of anxiety and stress experienced by young children during these formative years can have serious and lasting effects on their physical and emotional development.¹⁶ Persistent and substantial exposure to fear and anxiety—sometimes called "toxic stress"—can do immense damage to children's health. This level of stress can interfere with young children's physical brain development, altering how they learn and their ability to manage their emotions. It can also lead to physical and mental health problems that last into adulthood.¹⁷

Family separation represents one of the greatest risks to the health and wellbeing of children, especially in early childhood when children are physically, emotionally, and economically dependent on their parents. There may be no greater threat to children's emotional security than the fear of being separated from a parent. One study found that nearly 30 percent of children with one or more undocumented parent reported being afraid nearly all or most of the time.¹⁸ Three-quarters of undocumented parents in the same study reported their children were experiencing symptoms of post-traumatic stress disorder, such as frequent crying, trouble sleeping, and increased anxiety.¹⁹ Children whose parents have actually been deported and children who witness a parent's arrest may suffer even further from significant anxiety and health problems.²⁰ The very real threat of family separation places children with undocumented parents at greater risk of developing mental and behavioral health problems compared to children whose parents have legal status.²¹

This anti-immigrant context also affects children's developing social identities. Children's earliest experiences shape their identities, which form the basis of their personalities and sense of self as they grow older. When children experience their identity group being denigrated, it can disparage their own self-worth and reduce their self-esteem. These early experiences matter for their emotional development, capacity to learn, and ultimately their academic and economic success.²²

"They didn't allow for him to say goodbye."

Witnessing a parent's arrest is traumatizing for young children.

Immigration and Customs Enforcement (ICE) agents apprehended a father in New Mexico as he and his wife were walking their four-year-old daughter into child care one morning. "ICE came and served him papers, and in front of his children, put him in the vehicle," the family's home visitor told us. **"They didn't allow for him to say goodbye or to even give any attention to the child to let her know he would be okay."** The preschooler's seven-year-old brother witnessed the incident from the car. After the arrest, the four-year-old girl became unusually clingy with her mother while her older brother began have toileting accidents at school.

"[The mother's] big thing was why did they do that in front of [the children]? Why couldn't they... there were so many opportunities, at work for example. [ICE] had all his information," the home visitor said. **"It was just the lack of the humanity around this person, this father, being taken away in front of his children and his wife."**

Staff in a California early childhood program expressed concern for a four-year-old girl at the center whose father had been deported a few weeks before the school year started. "It really affected the child. She's four... She has older siblings: one in elementary school and one in junior high. They were all home when ICE busted in and took the dad. **She's been upset and really withdrawn... nervous, didn't want to talk.**" Her teacher noted it was a dramatic change in behavior from the year before.

Given our relatively small sample, we were particularly concerned about the large number of providers and parents who shared stories of children witnessing first-hand their parent being apprehended by ICE agents—an experience that could be particularly traumatizing for young children.²³



“For a week, I didn’t send my kids to school.”

Young children’s daily routines are interrupted

“I asked one of my clients how she was doing,” a social worker in California shared, “and she said, ‘Oh, ICE was in the neighborhood, so I had to go the long way to school through all these back alleys, and we were late. **And my kids were wondering why we had to hurry and I won’t let them play outside.**’”



Young children’s everyday lives have been dramatically altered, according to providers and parents we interviewed. Families are fearful of leaving their homes and coming into contact with immigration agents.²⁴ Some families go out only when necessary—to buy groceries or go to work. As a result, children are not attending early childhood programs and may be secluded in homes for days or weeks at a time. Early education programs reported drops in attendance, fewer applications, trouble filling available spaces, and lower parent participation in the classroom and events.²⁵

“We had a decrease in enrollment when it first started,” a preschool director in California said. “Some brought their kids back but some didn’t.” More recently, she had roughly 30 children who simply stopped attending. **“I can’t get in touch with the moms, I call the job and they say she doesn’t work there anymore... we hope they’ll call back but none of them have,”** she said. **“I just lost them.”**

“For a week I didn’t send my kids to school because I couldn’t drop them off,” one parent in California told us. “I heard ICE was there.” Another parent said, “**We don’t feel safe even taking the kids to child care.** You are worried you will run into them [immigration] and they will take you. It’s very stressful.” In some cases, providers had specific examples of families in which a parent was deported, and the child stopped coming to the program. They often did not know where the child was.

Providers and parents both described families avoiding other places in the community as well. In California, a Head Start director told us that families stopped using the library. “**They pick up the kids and they go straight home,**” she said. A Head Start teacher in Pennsylvania said a child in her class complains that his parents don’t take him to the park anymore because they are afraid of running into immigration agents.

“Even going to places like the library or to buy groceries, one no longer feels safe just walking like before. You don’t know when you’re going to run into ICE. You don’t even know who is who anymore because ICE no longer wears uniforms; they dress like everyone else.”

– Mother in California

“It became really unsafe right around February or March [2017]. Families stopped going places....**It had a very bad impact on our single moms who are already isolated, already have a lot of little ones and need to be out in the community.** All of a sudden, they only wanted to go to the places they had to go to—the supermarket. Some were skipping doctor’s appointments and well visits,” a home visitor in New Mexico told us.

Providers described changes in how families navigated leaving their homes. For instance, they no longer go places together as a group, especially not with both parents. A home visitor in North Carolina noticed that when her program hosted outings in the community, whole families no longer attended. In North Carolina, a kindergarten teacher said she knows families who take turns going to the grocery store: one mom goes shopping while the other stays home with all the kids.

Young children grow and learn in the context of their environments. Participating in regular routines—going grocery shopping, taking walks, and riding bikes—are opportunities for children to practice emerging skills, such as following directions and managing their emotions and behaviors.²⁶ Use of community resources such as libraries, parks, and museums provide additional opportunities for play and enrichment that support children’s healthy development.²⁷ Disrupting routines with trusted caregivers and reducing access to critical community resources—particularly during a time of heightened stress and uncertainty—may make children more vulnerable to the most harmful effects of anxiety.

For many children, attending an early education program is an important component of their daily routine. When children lose access to early education programs, they lose out on the educational opportunities that come from high-quality child care and early education—experiences that can be particularly important in bolstering the development of children facing hardship and adversity.²⁸ Children also lose nurturing, supportive relationships with caregivers who are fundamental to children’s development.²⁹

“...they didn’t apply for WIC because they heard that immigration would come to their door.”

Children are not getting nutrition assistance or medical care

“We’ve seen a major reluctance to enroll or re-enroll in public benefits. Moms are afraid to sign back up for Medicaid, food stamps, and other services,” a home visitor in North Carolina said.

“It’s also because of the news they hear,” said a provider in California. “One family disclosed that they didn’t apply for WIC because they heard that immigration would come to their door.”

In every site visited, providers and parents described families’ reluctance to enroll in or maintain enrollment in the publicly funded health and nutrition services for which they are eligible. Providers most commonly mentioned parents refusing nutrition assistance, such as the Special Supplemental Food Program for Women, Infants, and Children (WIC) program and Supplemental Nutrition Assistance Program (SNAP). A home visiting director in New Mexico said families were afraid to visit social service agencies to sign up for these benefits, even when accompanied by a home visitor.



Parents’ concerns about public programs were reportedly elevated immediately after the 2016 election and following a leaked policy memo in January 2017 that outlined the Trump Administration’s plans to restrict immigrant families’ access to health, nutrition, and educational services.³⁰ Parents’ concerns were primarily related to how participation in health and nutrition programs could potentially have immigration-related consequences. Specifically, parents are worried that using these programs will affect their ability to obtain legal permanent residence or make them identifiable to immigration enforcement agents. Families also expressed fear that immigration agents would be able to locate them by obtaining their information through these programs.

“Right now we’re the guardians of our grandsons, and one never knows how that might affect things,” a parent in California shared. **“What if I apply for that benefit and they say I’m living off of that? Or maybe even they come looking for me? Or maybe they will say that’s why they don’t want us living here? Really that’s why I haven’t applied for anything.”**

Most providers noted that immigrant families, including those who are lawfully present, have always been apprehensive about enrolling in public benefits, but they have noticed more acute

fears recently. In some cases, providers said they were able to calm families' fears and maintain their participation in these critical programs. However, some parents were declining to enroll, withdrawing their enrollment, or choosing not to reapply.

We also learned that families are delaying or forgoing medical care. Both parents and providers reported increased no-shows at health clinics and missed appointments. A provider in Georgia said that pregnant immigrant women are increasingly delaying prenatal care until late in their pregnancies or going without it altogether. Home visitors reported that families were refusing connections to other services, such as therapists and other medical professionals.



One reason families gave for forgoing services is fear of driving and encountering immigrant agents. A provider in Georgia told us about a child with autism who is no longer receiving therapeutic services because his father is too afraid to drive to the clinic. In Pennsylvania, parents talked about hesitating to take their children to the hospital for emergency care as it required a route where immigration agents often patrolled.

Families are also experiencing increased hostility and discrimination from staff in government offices. Parents in New Mexico and providers in California told of staff making discriminatory comments to families enrolling in nutrition assistance programs for their citizen-children. A social worker in California said that some of the parents she works with, all of whom have a young child with a disability, had experienced discrimination at the Supplemental Security Income (SSI) office. "One woman was told when she could speak English she could come back to apply for SSI," she said. "We've never had that happen before." SSI—like all federally funded programs—does not require applicants to speak English and, in fact, federal law requires that individuals with limited English proficiency have meaningful access to such programs.

Our interview findings are consistent with media reports that immigrant families are declining to obtain SNAP and WIC—even for their citizen children—and staying away from community hospitals and health centers.³¹ In a 2017 survey of 90 local agencies that manage WIC, one-quarter reported to the National WIC Association that undocumented parents are refusing services.³²

Not getting enough healthy food or forgoing doctors' visits can make children sick and lead to chronic health problems. Moreover, decades of research show the positive impact of public benefits—such as Medicaid, SNAP, and WIC—on children's long-term health and their economic security.³³ That is, when children get access to these programs, they are both healthier and their families have more money in their budgets to spend on other basic needs. For example, millions of children in households receiving SNAP would be living in poverty if weren't for the economic boost of SNAP assistance.³⁴

"People say it's better not to take the kids to school..." **Egregious ICE practices are harmful to children.**

A father in California who regularly walks his nine-year-old daughter to school was arrested minutes after dropping her off. The ICE agents waited for him to leave the school and apprehended him in front of several other children when he was a block away. His daughter's classmates immediately informed her of the arrest. Once she heard what happened, **"She got really bad in the school, she went crazy, wailing, holding her head,"** his wife told us. **"I had to talk to the director to help calm her down."**

In nearly all our interview sites, we heard disturbing accounts of ICE practices that undermine the best interest of children. In several sites, ICE reportedly parked outside schools and child care centers at drop-off or pick-up times and arrested parents on the way to drop children off or take them home.

"ICE can't go inside the schools, but they can be outside," a parent in California said, demonstrating the confusion regarding the Department of Homeland Security's sensitive locations policy that restricts ICE and Customs and Border Patrol (CBP) from carrying out enforcement actions at certain locations—including schools and child care centers.³⁵ **"And if they are outside, it's the same thing as being inside, so people say it's better not to take the kids to school or not go there."**



We also heard of aggressive actions taken by ICE during home raids, which often happen very early in the morning when children are in the home and sleeping. In a California incident, seven **children—ranging from an infant to a high schooler—were woken up, taken outside, and interrogated without their parents present** by ICE regarding the whereabouts of their older brother, who had taken a U-turn out of a traffic stop the previous day. The parents were sent to the backyard while the children remained in the front yard. ICE agents threatened to investigate the entire family if they didn't give information about the brother's location, and so both the mother and one of the teenage boys provided the information. While they were outside, one of the children—a middle-school-aged boy with autism—reached into his pocket for his phone, and an agent drew a gun on him.

ICE then went to the restaurant where the brother worked and detained him. Despite the family's assumption that, by cooperating, no further action would be taken against them, ICE arrived at the father's work a few weeks later and detained and deported him, as well. The teenager who shared the information with ICE now feels responsible for losing both his brother and father.

It is common for immigration enforcement agents to encounter children during enforcement actions in or near homes or during traffic stops, all of which can be traumatic experiences for children. To minimize the harm to children, the U.S. Department of Homeland Security (DHS) has developed protocols, such as what to do if minors are present during certain enforcement actions and how to protect the parental rights of detained parents, among others. While many of these policies currently remain in place, our interviews suggest some of these protocols may not be followed consistently.

“You know I have 11 people living in my house.”

Young children’s housing and economic stability are in turmoil



“One of the smallest kids in the class told me, ‘you know I have 11 people living in my house,’” a kindergarten teacher in North Carolina told us. **“They’re congregating, saving as much as they can so that if something happens they can get out of here.”**

A child care provider in California said she noticed families changing addresses every three months. “One parent said it’s because rent is expensive, but I think it’s just fear,” she said. “I think it’s a way for her to feel secure.” She was receiving notifications of changes in employment, as parents moved to less formal and often lower-paying jobs to avoid the risk of a worksite raid or other enforcement actions.

We also heard about increased job loss among immigrant parents and more difficulty finding work. Parents in California reported that more employers were letting undocumented employees go “because they [did]n’t want to have problems.” In some cases, ICE presence prevented people from getting to work, resulting in unapproved absences that led to employees being fired.

Undocumented immigrants are particularly vulnerable to exploitation by employers and landlords. A social service provider in Georgia described clients experiencing wage theft and refusing to take sick days for fear of being fired. A mother in Pennsylvania said, **“They know we can’t find other work, so there is nothing we can do.”**

Similarly, a home visitor in California described how landlords were charging families higher rent and taking longer to respond to maintenance requests. One child’s asthma was worsening because of black mold in the home, but the family’s landlord wouldn’t respond to the family’s requests to address it. “[The mom] was sort of stuck because she didn’t think she could find housing anywhere and she thinks that if she raises any concerns or asserts her rights as a tenant there will be [immigration] consequences,” the home visitor said.

These unstable and exploitative conditions undermine families' economic security and negatively affect their living conditions.³⁶ Job and housing instability coupled with other worries described by parents results in high levels of parental stress that can harm children's cognitive development—and children with undocumented parents are more likely to face stressors such as moving frequently, living in overcrowded or inadequate housing, and struggling to pay utility bills.³⁷ Unsafe or unstable housing represents one of the greatest threats to children's health and development. Children who move frequently or live in crowded conditions are more likely to have poor health outcomes, including developmental delays or behavior problems, and worse academic and social outcomes—all of which contribute to lower adult educational attainment.³⁸

Providers and parents reported particularly high levels of instability in families where a parent had been deported. For instance, a home visitor in Illinois told the story of her client whose husband was detained outside his home as he was leaving for work one morning. Terrified, the mother fled their home, taking only her children—an 18-year-old, 12-year-old, 5-year-old, and 1-month-old—and leaving behind baby supplies, medical cards, birth certificates, and clothing.

“ We can see how it’s affecting the mom. She’s undocumented. The language barrier... she’s been here for a couple years and she never worked because he was the only one working and providing for the family. She doesn’t know how to look for a job, where she can leave her children... ”

– Home visitor in Illinois

A parent's deportation can drastically undercut the economic security of families who are already struggling to make ends meet. Notably, men are far more likely to be deported—one analysis estimates that approximately 85 to 90 percent of deportees are men—and many are also the sole or primary breadwinner in their homes.³⁹ Deported fathers leave behind wives and children who often fall into poverty in their absence. Studies have found the sudden loss of income resulting from a parent's detention or deportation can reduce a family's income by half or more.⁴⁰ This leads families to not have enough food to eat, move abruptly and frequently, or live in crowded housing with family or friends.

“I don’t feel comfortable saying it’s going to be okay.”

Children’s parents and caregivers are stressed and lack resources

“My young daughter tells me, why are those people coming for us? And she asks questions I don’t know how to answer,” a parent in New Mexico told us. “I’m not going to tell [my children] that we can be deported at any moment. They are from here. They don’t know what that even means...They don’t know what Mexico is. They are so little. How are we going to explain if her father goes to Mexico, we can’t go there because [she] will suffer there?”

These are the tough questions that parents are grappling with. In all six states, we heard about the immense stress and uncertainty that parents of young children are experiencing. For example, an early education provider in Georgia said that for the first time, parents were requesting help with stress management and emotional support. A home visitor in California described increases in anxiety, depression, and concerns about intimate partner violence among the mothers in her program.

“You feel like you don’t know what’s going to happen. I think that’s the fear some of our families are feeling right now, not knowing what is coming. That feeling of stability—emotional stability and security—is what most of our families have lost,” said an early childhood educator in Illinois.

Consequently, providers—many of whom are immigrants themselves—are under increased pressure to support families in new ways. The providers we spoke with expressed great emotion at how challenging their already-demanding jobs had become. Some are experiencing the effects of the current environment personally due to their own immigrant or cultural backgrounds. But the incredible emotional stress of the work was prevalent across providers of every racial, ethnic, and immigrant background. Many were doing their best to connect parents to resources but felt ill-equipped to meet families’ needs or even offer them emotional support.⁴¹

“I don’t feel comfortable saying it’s going to be okay because we don’t know,” one service provider said.

“You can’t help but think about the families you serve and have a great relationship with. It gives me stress to think about what would happen if something happened to them. What would happen to their children?” said an early education provider in Illinois.

While being an undocumented immigrant in the United States has always been precarious, parents and providers indicated that the climate feels different. A family services coordinator in Illinois shared that his program has always served families with immigration cases. “What’s changed now is that we never know if they’re coming back after the check-in,” he said, referring to the periodic check-ins with ICE required of those with pending immigration cases, including parents who have previously been granted permission to remain in this country. “The stress is different.”



A woman in New Mexico broke down in tears while she described how hard her brother's detention was on their entire family. She took in her five nieces and nephews after he was detained by immigration authorities two months ago. **"They keep asking when he will come back, if they will get to see him again,"** she said. "The youngest one has panic attacks in school, so we have to go pick her up all the time." On top of trying to support her nieces and nephews, she is struggling to reassure her own children of their safety, manage her own mental health, and keep up with the mounting costs associated with immigration hearings.

Providers and parents noted that the president's decision in September 2017 to terminate the Deferred Action for Childhood Arrivals (DACA) program triggered a spike in fear and anxiety (see accompanying text box on DACA). "We got a spike in calls right after DACA was eliminated," the director of a home visiting program in New Mexico shared, noting that DACA recipients, who had felt safe, were suddenly experiencing very acute anxiety.

Parents and providers highlighted the lack of resources available in the community, most notably around legal assistance and help with legal fees, as well as more broadly accurate information about how immigration policies impact their families. Similarly, providers noted the dearth of mental health services for parents. Children who have health coverage can at least get some support, but there are few if any bilingual, culturally competent providers that will take clients without insurance. The shortage of legal and mental health resources was a problem echoed by providers in every state.

Young children depend on adults for their basic needs and emotional support. The adults that young children rely on the most—their parents and other caregivers—are experiencing significant stress themselves. While parents are doing their best to manage in unmanageable situations, for many the stress is overwhelming, especially as they are often unable to get the information and resources they need. Similarly, early care and education providers—already under-resourced and stretched thin—are left feeling helpless by their inability to fully meet families' rapidly changing needs.

The heightened fear that parents are experiencing is undoubtedly passed down to children, despite their best efforts to shield their children from concerns and worry.⁴² Just as children's own stress can be physically damaging, experiencing parental stress can directly hamper children's cognitive, emotional, and physical development.⁴³ Children feel sad, anxious, or scared when they

sense those emotions in their parents and caregivers. High levels of stress when parents are preoccupied by concerns can also get in the way of effective parenting and leave parents unable to fully meet their children's needs. The impacts of parental stress on children's development extend to other caregivers as well. When early care and education providers are experiencing significant stressors, all the children in their care may lack for support and be at risk for unhealthy development.⁴⁴



“ I don’t know what my kids are going to do if they take me when my DACA expires.”

Fates of children and their DACA parents are inextricably linked.

“When they gave us DACA, everything was going really well. Better than before,” said a parent in New Mexico, who obtained DACA status three years ago and has two citizen children. “Better work—we bought a house, a truck. The American Dream.”

On September 5, 2017, the Trump Administration announced the termination of the Deferred Action for Childhood Arrivals (DACA) program, a program introduced by the Obama Administration in 2012 that removed the possibility of deportation and made work authorization available to approximately 800,000 immigrant youth and young adults who came to the U.S. as children—many when they were younger than six years old. DACA is widely regarded as a successful program, providing pathways to higher education, better jobs, and higher income.⁴⁵ Now teens and young adults, DACA recipients are integral members of their schools, workplaces, and communities. Some have started families themselves: in one survey of DACA recipients, 25 percent were parents of U.S. citizen-children.⁴⁶

Notably, DACA’s benefits likely extend far beyond the recipients themselves. The doors opened for millions of immigrant youth and young adults may also improve opportunities for their young children. Children markedly benefit from having parents with higher levels of education and better-quality jobs.⁴⁷ Better-educated parents have more resources to support their children’s development, which benefits children’s health, academic achievement, educational attainment, and employment in the long run. When parents are facing less stress and are better able to make ends meet, they have more time and energy to devote to their children. One study found that mothers’ eligibility for DACA was linked to better mental health outcomes for their children.⁴⁸

The harm of rescinding the program will be expansive as well. As a result of the administration’s action, DACA recipients will eventually lose their protected status, work permits, and other critical supports.⁴⁹ The majority of our interviews and two out of the four focus groups took place after the program was terminated. Parents we spoke with were frustrated, angered, and scared by this decision. Parents in New Mexico with DACA voiced concerns about how they would continue to make ends meet and support their families once their work permits expire. They described trying to save as much as possible and planning for what may happen should they eventually be deported.

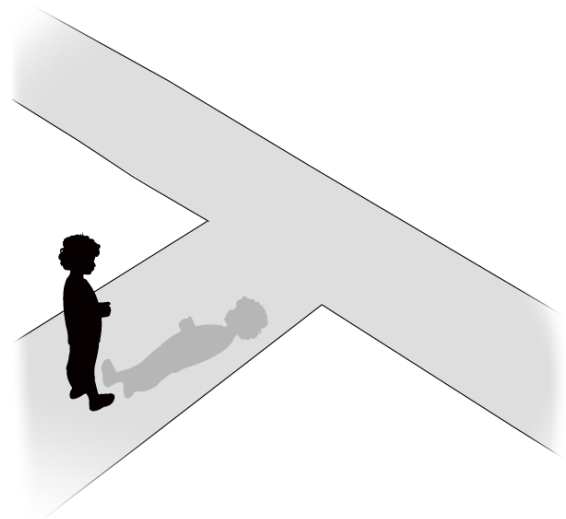
Parents with DACA status also expressed concern about what will happen to their children when their status expires. A mother in New Mexico told us, **“My husband doesn’t have papers, he lost DACA. So every time I hear immigration is near here, I get scared.** He’s been here since he was two years old. And I always tell him, what are we going to do if you get deported? He has family in Mexico but nothing there. **He says if he gets deported we need to go with him. And it’s scary because all my life we have been here. So we don’t know what to do.”**

Some teachers and staff we interviewed were DACA recipients.⁵⁰ An assistant teacher in New Mexico, whose DACA status allowed her to work in a child care center and study early childhood education at a local college, was facing the expiration of her status in 2019. **“If there’s no work, I can’t go to school because I’m paying for it,”** she said. **“It would affect me in every area.”**

Consequences of fear, anxiety, and hardship on children

Young children in immigrant families have had their worlds turned upside down. Now, opening the front door could take a parent away forever, police officers are seen as threats rather than protectors, and school is no longer a guaranteed safe place. Increased immigration enforcement and anti-immigrant rhetoric, racism, discrimination, and xenophobia are all negatively influencing an entire generation of children.

Our interviews and focus groups revealed a distressing picture of young children’s day-to-day experiences around the country. Young children in immigrant families—including children whose parents have lawful immigration status—are expressing their fearfulness in words and troubling behaviors. They are increasingly isolated from their communities. Some are missing out on child care and early education programs. Some are forgoing medical care and are not getting health and nutrition assistance they are legally entitled to as citizens. Their home lives are increasingly unstable due to overcrowded housing, frequent moving, or decreased economic security. Their parents and caregivers—their primary support system—are experiencing high levels of anxiety. And they are internalizing harmful ideas about their own self-worth.



Importantly, children do not experience these events—or their consequences—in isolation. Rather, child development research is clear that the harm children face is cumulative. Experiencing multiple types of hardships (for example, lower household income, housing instability, and not having enough to eat) does far greater damage to young children’s long-term development than simply adding up the effects of each individual risk factor.⁵¹ The result: the development of millions of young children is likely being harmed—with many denied their rights as citizens of the United States simply because their parents are not.

Children of immigrants matters to America’s future. Our nation’s collective economic success is tied to the individual success of all our children. Therefore, our immigration policies must put the needs of children front and center. Our public policies must be designed to ensure that all children are able to achieve their full potential—through access to high-quality early educational experiences, health care and nutrition assistance, and other supports that promote healthy development from birth through adulthood. Without changing course, we as a nation will also pay a heavy price, as our future prosperity will be largely determined by the extent to which our increasingly diverse U.S. child population is able to succeed.

A better path forward: recommendations

“
We need laws to help people—not break people.
– Father in New Mexico
”

Congress and the Administration should ensure that the best interest of children, including U.S. citizen children living in mixed-status families, are held paramount in immigration policy decisions.

Congress should pass legislation that provides a pathway to citizenship for undocumented immigrants, including parents and Dreamers. The majority of the 11 million undocumented immigrants living in the United States are connected to families and communities who rely on them, and for Dreamers—undocumented youth who came to this country as children—the United States is often the only home they have ever known. Legislation with a path to citizenship will remove the instability caused by lack of status and fear of deportation and enable parents to better provide for their children’s basic needs. For recipients of the DACA program and other young Dreamers, passage of narrow legislation like the Dream Act of 2017 will provide a permanent solution and allow them to better pursue their educational and career goals, which is critical for their own wellbeing and that of their families.⁵²

Congress should ensure immigration judges are able to weigh the hardship to children in decisions regarding a parent’s ability to enter or remain in the United States. Current immigration law explicitly overlooks hardship to children in critical immigration decisions regarding their parents. Congress should correct this flawed principle and reinstate judicial discretion that enables immigration judges to consider the potential hardship of a parent’s deportation or ability to enter the country on U.S. citizen children, such as the risk of developmental harm and economic hardship on children left behind.

The U.S. Department of Homeland Security (DHS) should use discretion when making decisions to arrest, detain, and deport parents of minor children in the United States. Parents of minor children in the United States should not be priorities for enforcement. Parents who have been placed into deportation proceedings should generally be able to await deportation at home with their children as they to continue to care and provide for them and make arrangements for the future. Parents who must be detained should be placed into one of the agency’s alternative-to-detention programs.

Congress and DHS should expand and consistently enforce the sensitive locations policy to restrict enforcement actions from occurring at or near places that are critical to children’s health and wellbeing. The current sensitive locations policy is vague and may be inconsistently followed. For it to be effective in making parents feel safe taking their children to child care, school, hospitals, and other critical places, it must be uniformly enforced across the country and violations must be investigated and addressed. The policy should also be expanded to restrict immigration agents from carrying out enforcement actions *near* sensitive locations and be extended to other locations, such as home-based child care programs. Congress should pass the Protecting Sensitive Locations Act, which would strengthen and codify the current policy.⁵³

DHS should strengthen protocols to minimize potential harm to children when they are present during immigration enforcement actions and train all staff on these protocols. To mitigate trauma for children and prevent them from being separated from family members or becoming unnecessarily involved in the child welfare system, it is important to establish protocols about the time of apprehension or enforcement action. While some protocols have been developed in recent years, they should be strengthened and consistently enforced. Immigration enforcement actions should generally be avoided when children are present. In cases where children are present, parents should be given the opportunity to designate a caregiver and to make phone calls or otherwise reach a designated caregiver. Children should neither be interrogated without the presence or consent of a parent nor be asked to translate for others, and parents or other family members should not be interrogated in the presence of children. All agents who may come into contact with a child should receive training in how to appropriately handle such situations to minimize trauma to children, and DHS should investigate and address reported violations.

DHS should ensure that detained and deported parents are able to make decisions about their children’s care. In 2013, ICE implemented a policy known as the “parental interest directive” aimed at upholding the rights of detained parents with minor children, including those involved in the child welfare system.⁵⁴ ICE should preserve and implement this policy in its entirety, including the use of discretion in certain cases involving parents, legal guardians, and primary caregivers and the facilitation of a parents’ ability to make long-term decisions regarding their children’s care, regardless of whether they wish to leave their children with a designated caregiver or take their children with them. Parents whose children are involved in the child welfare system should continue to be able to interact with caseworkers and participate in case plans and family court proceedings necessary to reunify with their children.

Federal, state, and local policymakers should ensure that immigrant families have access to the programs and services they need to promote their children’s healthy development.

Congress and federal agencies should reverse course on the Trump Administration’s efforts to discourage immigrant families and their citizen children from accessing the health, nutrition, and early childhood education services. The Trump Administration is currently developing regulations to rewrite the current definition of what is known as a “public charge” to significantly broaden the range of programs that government officials can consider in the public charge determination, possibly to include programs such as WIC, SNAP, Medicaid, the Children’s Health Insurance Program (CHIP) and Head Start (See Appendix for a description of “public charge.”) The proposed rule also may expand scrutiny to include use of public benefits by the applicant’s family, including U.S. citizen children. If finalized, this proposal could force immigrant families to forgo needed health care, nutrition, and early education services to obtain secure immigration status for themselves or their families. The administration should reverse course on this harmful proposal that threatens the long-term health and wellbeing of millions of children, including citizen children. If federal agencies move forward, Congress should use its authority to undo this regulatory change through legislation.

State and local policymakers should safeguard the wellbeing of young children in immigrant families through state and local legislation, laws, and policies. Policymakers should oppose laws that promote more immigration enforcement—such as collaborative agreements between immigration enforcement agencies and local police—that limit immigrant families’ mobility and ability to seek out essential services on behalf of their children. Likewise, policymakers should oppose laws that create barriers to health, nutrition, or educational services for children in immigrant families. Conversely, policymakers should support policies that encourage the health, safety and wellbeing of immigrant families and protect children’s interests, such as expanded access to health care coverage for immigrant children.

State and local policymakers should increase funding for legal services in communities and build links to pro bono services. Resources are needed in communities to provide free legal advice and representation to families on immigration, child custody, and family law to help families navigate the legal system.

State agencies administering public benefits should ensure immigrant families and their children are not deterred from enrolling in critical programs. Agencies should issue guidance on immigrant eligibility rules, including recommendations for ensuring that enrollment practices do not deter immigrants from accessing benefits on behalf of themselves or their children.⁵⁵ Agencies should analyze their data to identify any declines in public benefit use and conduct targeted outreach to reach underserved communities and limited-English proficient communities. By partnering with trusted organizations such as early childhood programs and immigrant-serving organizations and paying attention to language access, agencies can improve their outreach to immigrant families.

State agencies administering public benefits should issue guidance to programs on protecting data and personal confidentiality. Agencies can work with local agencies and social service providers to ensure compliance with privacy rules and to provide guidance on interactions or requests from immigration enforcement officials.⁵⁶ Agencies can also issue public messages explaining individuals' privacy protections as they relate to immigration concerns.

State policymakers should ensure that early childhood programs have the resources they need to better serve children in immigrant families.

State policymakers should promote and fund coordination and collaboration between child care and early education and immigrant-serving organizations. This will improve access by families and the workforce to key information that affects immigrant families. Collaborations can ensure that early education programs have experts who can provide credible information on immigration policy, immigrant rights, and immigrant eligibility for public benefits. Added financial resources can increase the capacity of immigrant-serving organizations to partner with early education programs. This support could be in the form of grants to community-based organizations to increase capacity, funded partnerships between immigrant-serving and early childhood organizations, or resources for creating joint immigrant and early childhood coalitions. States and localities with immigrant and refugee offices, or other coordinating bodies, should both include early care and education organizations in community planning and inform early care and education organizations about state and local efforts related to immigrant families.

Provide resources to meet the unprecedented needs of the early childhood workforce for training, education, and support. State agencies should fund the development and implementation of trainings and supports, as well as increased staff compensation and benefits to ensure that early childhood providers can get the supports they need to do their job. States can fund entities such as universities and community-based organizations to develop resources and materials to give the early childhood workforce the tools they need to help children cope with fear, to support parents in discussing deportation and other issues with children, and to work with families in crisis due to immigration actions.

Ensure that programs have access to best practices and training on trauma-informed care and funding to implement those practices. According to the National Child Traumatic Stress Network, key components of a trauma-informed program include routinely screening for trauma exposure and symptoms; use of evidence-based, culturally responsive assessment and treatment; and a focus on continuity of care and collaboration across systems. Trauma-informed programs also intentionally address parent trauma, emphasize staff wellness, and make resources available to children, families and providers.⁵⁷

The philanthropic community should protect, defend, and elevate the well-being of children in immigrant families.

Philanthropies should make investments in immediate and urgent support to children in immigrant families and the programs that serve them. A comprehensive philanthropic agenda would include:

- Policy advocacy at all levels of government to protect and defend the wellbeing of young children;
- Affordable legal services and representation for immigrant families;
- Strong collaborations across the immigrant and early childhood sectors as well as other sectors serving children such as child welfare, education, etc.;
- Creation and dissemination of training and resources for early care and education and other program staff;
- Outreach and information dissemination to inform immigrant families about policies that affect them;
- A comprehensive research agenda that includes documentation of the impacts of immigration policies on young children and their caregivers, as well as the developmental consequences of those impacts; and
- Raising awareness among the public and policymakers about the importance of young children of immigrants to our country's future.

Funders should speak out about the wellbeing of young children of immigrants, their needs and the developmental consequences of the current crisis. National, state, and local foundations should use their own credibility and prominence to elevate the importance of the wellbeing of young children and the urgency of a supportive policy, research, and advocacy agenda. Funders can issue broad statements aimed at influencing key constituencies or speak out on specific policy issues.



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Appendix: Overview of major immigration policy changes affecting young children under the Trump Administration

Increased immigration enforcement

Separation from a parent due to immigration enforcement is not a new consequence for children in mixed-status families. Over the past decade, DHS reported high rates of deportations involving parents of U.S. citizen children, which gradually decreased over time, from as high as 72,410 in 2013 to 28,860 in 2016.⁵⁸ However, between 2007 and 2013, ICE put a series of policies in place that were intended to mitigate the collateral effects of enforcement on children.⁵⁹ Central to these policies was an emphasis on the use of discretion when making decisions about the arrest and detention of parents, legal guardians, and primary caregivers. For example, immigration enforcement agents were instructed to consider factors such as family ties—including whether individuals are parents or guardians of U.S. citizen or lawful permanent resident (LPR) children—when determining whether they were an enforcement priority and whether to place them in deportation proceedings as well as whether and where to detain them.⁶⁰ In 2013, ICE issued a directive known as the “parental interest directive” that specifically addressed the need of parents facing removal to make arrangements for their children and to allow detained parents to participate in child welfare proceedings.⁶¹ Protective policies such as these helped reduce the likelihood that parents and guardians of citizen and LPR children would be arrested, detained, and removed, which helped reduce long-term harmful effects of enforcement on children.

The inception of the Trump Administration in 2017 was immediately marked by a drastic new focus on heightened immigration enforcement and decreased protections for vulnerable populations. Shortly after entering office, President Trump introduced two executive orders that significantly increased the intensity and scope of immigration enforcement in the United States. For example, the executive order entitled “Enhancing Public Safety in the Interior of the United States” calls for triple the number of enforcement agents, encourages increased collaboration between ICE and local police, and rescinds the enforcement priorities established under the Obama Administration—making every undocumented immigrant a priority for deportation, including parents of U.S. citizen children. The orders also limit the use of prosecutorial discretion and roll back protective policies, including key aspects of the parental interest directive. Recent reports from DHS for fiscal year (FY) 2017 reveal that ICE agents arrested 25 percent more people in the interior of the country who were suspected of being in violation of immigration laws than in FY 2016 and removed 30 percent more in FY 2017 compared to FY 2016. Arrests in the community—notably among immigrants without criminal violations—were particularly heightened, with the number of arrested immigrants without a criminal record increasing 146 percent between FY 2016 and FY 2017.⁶²

While protective policies such as the sensitive locations memo—which restricts ICE and CBP from carrying out enforcement actions in certain locations—and certain aspects of the parental interest directive remain in place as of the date of publication, our findings raise questions about oversight and accountability. It is unclear whether the Trump Administration will continue to

uphold and consistently implement its own policies designed to mitigate the effects of enforcement on child wellbeing and family unity. In addition, the speed with which many deportations are being carried out and the focus on removing individuals who have previously been permitted to remain in the United States contingent on regular check-in with ICE has put children in mixed-status families at increased risk of separation from a parent.

Undercutting access to vital programs

Through several public statements, proposed immigration principles, ramped up enforcement actions, and leaked policy proposals, the Trump Administration has made clear its intent to further restrict access to basic health and nutrition supports for low-income immigrant families and their citizen children. It is important to note that undocumented immigrants are already barred from most federal public benefits, and lawfully present immigrants already are subject to a five-year waiting period for federal programs like SNAP, TANF, CHIP, Medicaid, and SSI. Furthermore, low-income children with foreign-born parents are already less likely to receive SNAP or Medicaid than children with U.S.-born parents.⁶³ In fact, children in immigrant families are less likely to have health insurance at all—8.7 percent of children with foreign-born parents are uninsured, compared to 4.4 percent of children with native-born parents.⁶⁴

One of the most urgent threats is the Trump Administration’s intent to redefine what is known as the “public charge” statute. “Public Charge” is a term used by U.S. immigration officials to refer to a person who is considered primarily dependent on the government for subsistence. Certain immigrants can be denied entry to the United States or a “green card” (lawful permanent residence) if, based on all their circumstances, they are deemed likely to become a “public charge” in the future. In very limited circumstances, the law also makes individuals deportable for becoming a public charge. Under longstanding practice, only the use of cash assistance for income maintenance (such as TANF and SSI) or government-funded long-term care have been considered in the public charge determination. Immigrants not subject to the public charge rules include refugees, asylees, victims of domestic violence and other crimes, as well as green card holders applying for citizenship.

Under a draft executive order leaked in January 2017, the Trump Administration threatened to rewrite the rules regarding the “public charge” statute to drastically broaden the scope of programs considered in the public charge determination as well as several other provisions that would restrict immigrants from accessing critical benefits and income supports. While the draft executive order was never released, even the rumor of it created a chilling effect by leading some immigrants to choose not to enroll themselves or their citizen children in critical programs, despite being eligible.

On February 8, 2018, media outlets published a leaked draft public charge “notice of proposed rulemaking” indicating the Trump Administration’s intent to change the regulations used to implement the public charge provision of federal immigration law.⁶⁵ The leaked draft proposal would broadly expand the types of benefits to be considered under the public charge determination, explicitly including Medicaid, CHIP, SNAP, WIC, Head Start, and many other human services programs. The proposed rule also indicates the administration’s intent to expand scrutiny to include use of public benefits by the applicant’s family, including U.S. citizen children. If finalized, this proposal could force immigrant families to forgo needed health

care or go hungry in order to obtain secure immigration status for themselves or their families.

As of publication of this paper, this proposal is still in development and has not been published. CLASP and the National Immigration Law Center (NILC) lead the “Protecting Immigrant Families, Advancing Our Future” campaign, a broad coalition of advocates for immigrants, children, education, health, anti-hunger and anti-poverty groups and faith leaders. The Protecting Immigrant Families campaign is developing resources and will coordinate efforts to fight back against this dangerous proposal. For more information on the campaign, please contact Madison Hardee (mhardee@clasp.org).

Removing protections for certain populations

Another aspect of the Trump Administration’s immigration policy has been to expel immigrants with long, established roots in the United States through the termination or cancellation of protective status for immigrants granted relief through the Deferred Action for Childhood Arrivals (DACA) program and through Temporary Protective Status (TPS).

In 2012, the Obama Administration introduced the DACA program, which provided an administrative solution to many of the barriers facing undocumented youth. DACA provided temporary work authorization and relief from deportation to nearly 800,000 qualifying Dreamers, allowing many to pursue postsecondary education and work legally.⁶⁶ Despite DACA’s success, the Trump Administration announced its termination on September 5, 2017. The decision, which came after months of uncertainty, has put the lives of millions of immigrant youth and young adults and their families in jeopardy. In one survey, more than 25 percent of DACA respondents were parents of U.S. citizen children.⁶⁷ The program officially expires on March 5, 2018, and thousands of DACA recipients have already lost their protections and with it their jobs and ability to provide for their families.⁶⁸ At the time of writing, Congress had still failed to reach agreement on a legislative fix for DACA beneficiaries and other Dreamers as a result of the Trump Administration’s refusal to accept multiple bipartisan proposals, including several that included the robust border enforcement measures requested by President Trump. As a result, DACA beneficiaries and their families remain in a state of limbo.

TPS is a temporary, renewable immigration status authorized through the Immigration Act of 1990. It provides work authorization and protection from deportation for individuals whose countries have experienced environmental disasters or epidemics, persistent armed conflicts, or other extraordinary conditions that prevent them from safely returning to their country of origin.⁶⁹ Decisions to extend TPS for immigrants from affected countries must be made periodically based on a review of existing circumstances in the designated country. Over the past year, the Trump Administration has announced the cancellation of the TPS designation for approximately 195,000 Salvadorans, 46,000 Haitians, 2,550 Nicaraguans, and over 1,000 Sudanese. These TPS holders have been given a deadline for when they must uproot themselves from the families and communities where they have resided for decades and potentially return to countries where conditions remain tenuous and they may have little ties. TPS holders are parents or guardians of U.S. citizen children, such as Salvadoran TPS holders who are estimated to have 192,000 U.S. citizen children.⁷⁰ A decision regarding the designation of TPS for approximately 57,000 Hondurans is expected this July.

Endnotes

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